

COPY

FILED
DISTRICT COURT
Custer County, Okla.

OCT 7 2022

STACI HUNTER
COURT CLERK

THE DISTRICT COURT IN AND FOR CUSTER COUNTY
STATE OF OKLAHOMA

MAGNOLIA HERRERA,

Plaintiff,

v.

GAMLET OVSEPYAN and SKY STAR
TRANSPORTATION, LLC.,

Defendants.

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) **Case No. : CJ-2022-**

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PETITION

COMES NOW, the Plaintiff, Magnolia Herrera, by and through her attorneys of record, Tony W. Edwards and Matthew B. Patterson, and for her cause of action against the Defendants, Gamlet Ovsepyan and Sky Star Transportation, LLC, allege and state as follows:

1. That the Plaintiff, Magnolia Herrera, is a resident of Elk City, Beckham County, Oklahoma.
2. That the Defendant, Gamlet Ovsepyan, is a resident of Brooklyn, Kings County, New York.
3. That the Defendant Sky Star Transportation, LLC, is a domestic limited liability company for profit business based in Georgia.
4. That the motor vehicle collision which gives rise to this action occurred in Clinton, Custer County, Oklahoma.
5. That this Court has jurisdiction and venue in this matter.
6. That the Plaintiff, Magnolia Herrera, is without fault and that the damages from the collision were directly and proximately caused by and due to the negligence of the Defendants set forth below.

EXHIBIT

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7. That on or about November 10, 2021, Plaintiff, Magnolia Herrera, was driving her vehicle in a safe and lawful manner, traveling east on I-40. Defendant, Gamlet Ovsepyan was traveling in a tractor-trailer vehicle behind Plaintiff Herrera in a negligent and careless manner. Defendant Ovsepyan's vehicle was traveling at a speed too great to slow down as he approached Plaintiff's vehicle. Do to Defendant Ovsepyan's speed, he had insufficient time to react in a safe and lawful manner. As a result Defendant Ovsepyan's tractor-trailer vehicle struck Plaintiff's vehicle causing the collision and subsequently pushing Plaintiff's vehicle into the vehicle in front of her which was pulling a trailer.

8. At the time of the collision Defendant Ovsepyan was acting within the scope of his employment with Sky Star Transportation, LLC.

9. That Defendant Sky Star Transportation, LLC, is vicariously liable for the above described actions and/or inactions of its driver, Gamlet Ovsepyan, on or about November 10, 2021.

10. That as a result of the negligence of the Defendant and the resulting collision of the vehicles heretofore mentioned, Plaintiff suffered bodily injury and damage to her personal property.

11. As a direct and proximate result of the negligence of the Defendant, Gamlet Ovsepyan, the following damages were caused, for which damages are claimed by the Plaintiff in an amount in excess of \$75,000.00; past, present and future physical pain and suffering; past, present and future medical expenses; lost earnings; impairment to earning capacity; and permanent injuries.

WHEREFORE, Plaintiff prays for a judgment against the Defendants in an amount in excess of \$75,000.00, her costs, and such other and further relief to which he may be entitled.

Respectfully submitted,

EDWARDS & PATTERSON LAW



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**JURY TRIAL DEMAND RESERVED
ATTORNEY LIEN CLAIMED**